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8 Attorneys for Debt Acquisition Company of America

9
10 IN THE UNITED STATES BANKRUPTCY COURT
11
12 DISTRICT OF NEVADA

13 In re) Bankruptcy Case No. BK-S- 06-10725-LBR
14 USA COMMERCIAL MORTGAGE)
15 COMPANY,)
16 fka USA Capital)
17 Debtor)
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PROOF OF SERVICE

16 I, John Hebert, declare under penalty of perjury that the following facts are true and correct:

17 I am a resident of the State of California and over the age of 18 years and not a party to or
18 interested in the within entitled cause. I am an employee of Kirby & McGuinn, A P.C. . and my
19 business address is 600 B Street., Suite 1950, San Diego, CA 92101. On January 18, 2007 I served the
20 following document(s):

21
22 - **NOTICE OF APPEAL OF ORDER CONFIRMING THE "DEBTORS THIRD
23 AMENDED JOINT PLAN OF REORGANIZATION" AS MODIFIED THEREIN**

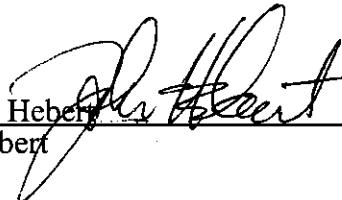
24
25 ■ MAIL: by placing a true copy(ies) thereof in a sealed envelope(s) in the outgoing mail
26 tray located in my office for deposit in the United States mail, with postage fully prepaid,
27 addressed as per attached (ATTACHMENT A). I am readily familiar with the business
practice at my place of business for collection and processing of outgoing mail with the
U.S. Postal Service that same day in the ordinary course of business.

1 ■ ECF Email system as per attached list (ATTACHMENT B)
2

3 I declare under penalty of perjury under the laws of the United States that the foregoing is true
4 and correct.

5 Executed on January 18, 2007

6 _____
7 /s/ John Hebert
8 John Hebert



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